

**STATE OF HAWAII**  
**REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS**

06 MAY 16 08:47

STATE PROCUREMENT DIVISION  
 STATE OF HAWAII

To: Chief Procurement Officer

From: Department of Human Services/ Social Services Division/Support Services Office  
*Department/Division/Agency*

Pursuant to § 103F-101(a)(4), HRS, and Chapter 3-141, HAR, the Department requests a procurement exemption to purchase the following:

Title and description of health and human service(s):	
The title of the service is the Children's Justice Act (CJA) that provides grants to states to improve the investigation, prosecution and judicial handling of cases involving child abuse and neglect (CAN), particularly child sexual abuse and exploitation, in a manner that limits additional trauma to child victims. This also includes the handling of child fatality cases in which CAN is suspected. Service activities include:	
1. Improvement of treatment of CAN services in respective communities via training for Child Protective Services (CPS), Police, Deputy Attorney General, Prosecutors, Judges, Medical Examiners, Hospital/Health Professionals to improve the handling of CAN cases especially those involving child sexual abuse and exploitation cases, suspected CAN-related fatality cases and cases involving potential combination of jurisdictions such as interstate, federal-state, and state-tribe.	
2. Establishment of an experimental, model or demonstration programs. The direction of the project should be to improve the prompt and successful resolution of civil and criminal court proceedings or to enhance the effectiveness of judicial and administrative action in CAN cases. The emphasis should be on child sexual abuse and exploitation cases including performance enhancement of court-appointed attorneys and guardians ad litem for children. This should also ensure procedural fairness to the accused by establishing partnership projects with court appointed attorneys and guardians ad litem for children. This year the task force and regional committees are supporting Phase I of the Juvenile Sex Offender (JSO) Standards Development Project. The goal of the project is to standardize the delivery of services to youth with sexualized behavior across the State of Hawaii. Phase I will entail the development and adoption of standards, while Phase II will involve the implementation of these adopted standards.	
3. Activities to reform state laws, ordinances, regulations, protocols and procedures to provide comprehensive protection for children from abuse, particularly sexual abuse and exploitation, while ensuring fairness to all affected persons.	

Provider Name: Kauai Children's Justice Committee & Maui County Children's Justice Committee	Total Contract Funds: <del>\$168,932</del> -Kauai \$80,876.50* <del>\$53,644</del> -Maui \$51,251.00*	Term of Contract:
Provider Address:  3094 Elua St., Lihue, HI 96766 1773-A Wili Pa Loop, Wailuku, HI 96793	Contract Funds per Year (as applicable). <del>\$84,466</del> for Kauai \$40,438.25* <del>\$26,822</del> for Maui \$25,625.50*	From: To: 7/1/06 6/30/08

\*Per memo dated 6/26/06

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Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

The Federal government provides CJA funds to the State of Hawaii through a grant and requires that we establish a statewide task force. The statewide task force is made up of representatives from the law enforcement community, criminal and civil court, prosecuting attorneys, child advocates (attorneys for children), private health professionals and representatives from Department of Health (DOH), Branch Chief with DOH CAMHD, Department of Human Services (DHS) section administrators and sex abuse unit supervisors, parent group representatives and others.

The statewide task force created committees for each island to meet the unique needs of each geographic area. These committees obtain feedback from public and private service providers about the specific training needs and research and bring in trainers to address topic areas. The committees also receive request from public and private service providers to attend national trainings. Funds from the committee are used to cover airfare and the cost of the training. This arrangement is part of the statewide plan and is most efficient due to each task force knowing how to provide the services outlined by the statewide task force. This plan was also presented to and has been approved by the Federal government.

The Kauai and Maui committees have incorporated specifically for the purposes of this grant. The Kauai Children's Justice committee has agreed to be the fiduciary for Oahu and the Big Island. This agreement is the most efficient due to Kauai having appropriate staff and knowledge to carry out this task.

Details of the process or procedure to be followed in selecting the service provider to ensure maximum fair and open competition as practicable:

The State of Hawaii, in order to receive Federal Children's Justice Grant funds, has assured in its Statewide Plan that it will maintain a Children's Justice Task Force with required multidisciplinary and statewide representation. To meet the multidisciplinary and statewide requirements, the Task Force includes county-based committees. All of this is in place and was designed to fulfill the requirements of the Federal grant.

A Request for Proposal can be designed for any and all services but it is not efficient to design one for this service because funds are being used to maintain a specific task force that is already in place. The Children's Justice task force is knowledgeable and efficient in carrying out its responsibilities mainly due to its involvement since the beginning of the award of this grant and having experience in carrying out the services.

The amount of funds provided through the grant is small due to the fact that the annual amount of \$111,288 is divided equally among five regional committees serving the State of Hawaii. Each regional committee has decision making power to use the funds for specific training and implementation of programs to improve service delivery.

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A description of the state agency's internal controls and approval requirements for the exempted procurement:  
The DHS, Purchase of Service (POS) unit has direct responsibility over the contract. The Children's Justice Committees on each island are required to submit semi-annual activity reports and expenditure reports to the POS unit for review. Expenditure reports are also submitted to the Accounting section of the Fiscal Management Office.

An annual report is also provided to the Federal government in compliance with their requirements.

A list of state agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Suzanne Hull, Program Specialist  
Randy Fonseca, Acting POS Supervisor  
Jeanne Reinhart, Assistant Program Administrator  
Marquis Miyauchi, Support Services Office Administrator  
Lillian B. Koller, Esq., Director

Direct questions to (name & position):  
Suzanne Hull

Phone number:  
586-5669

e-mail address:  
shull@dhs.hawaii.gov

This exemption should be considered for list of exemptions attached to Chapter 3-141, HAR: Yes ☐ No ☒

**I certify that the information provided above is to the best of my knowledge, true and correct.**



*Department Head Signature*

MAY 15 2006

*Date*

Lillian B. Koller, Esq.

*Typed Name*

Director

*Position Title*

Chief Procurement Officer's Comments:

Please ensure adherence to applicable administrative requirements.

☒ Approved

☐ Denied



*Chief Procurement Officer*

6/27/06

*Date*

cc: Administrator  
State Procurement Office

**State of Hawaii**  
**Notice of Request for Exemption from Chapter 103F, HRS**

The chief procurement officer is considering this request for exemption and, if there is good cause, the state intends to exempt the purchase as described in the request. Any inquiries regarding the purchase shall be directed to the contact person noted on page two of the request. Any concerns regarding the exemption shall be in writing and received by the chief procurement officer within seven days of the date the notice was first posted. Concerns shall be mailed to: Aaron Fujioka, Chief Procurement Officer, State Procurement Office, 1151 Punchbowl St., #230A, Honolulu, HI 96813.

LINDA LINGLE  
GOVERNOR



LILLIAN B. KOLLER, ESQ.  
DIRECTOR

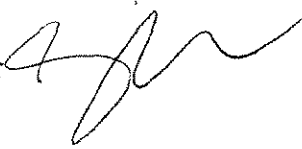
HENRY OLIVA  
DEPUTY DIRECTOR

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
810 Richards Street, Suite 400  
Honolulu, Hawaii 96813

June 26, 2006

**MEMORANDUM**

TO: Aaron Fujioka, Administrator  
State Procurement Office

FROM: Amy Tsark, Acting Administrator   
Social Services Division

SUBJECT: EXEMPT REQUEST FOR CHILDREN'S JUSTICE GRANT

This memo is being generated to clarify the funding amount in the restrictive request PEH 06-47. The original request gave a total contract fund amount of \$168,932.00 for Kauai and \$53,644.00 for Maui. The contract funds per year for Kauai is \$84,466 and \$26,822 for Maui.

The revised total contract fund amount for Kauai is \$80,876.50, and the revised total contract amount for Maui is \$51,251.00. The contract funds per year for Kauai is \$40,438.25 and for Maui the amount is \$25,625.50.

Further clarification is being provided to the third paragraph on page 2 of the request under "Details of the process and procedure to be followed..." The request states that the annual amount of the grant is divided equally among five regional committees. The correct information is that the Kauai Children's Justice Committee (CJC) is given \$4,000.00 from the annual grant amount to provide administrative support to all of the CJC. The Kauai CJC also covers the airfare and expenses to send CJC members to the national conference that is held each year. Also the Kauai CJC is the only committee that maintains a paid administrative assistant. The remaining amount of the grant is split equally among 4 regional committees.